

GOVERNMENT OF THE REPUBLIC OF TRINIDAD AND TOBAGO

PUBLIC STATEMENT OF THE MINISTRY OF ENERGY AND ENERGY INDUSTRIES

In Compliance with sections 7,8 and 9 of THE FREEDOM OF INFORMATION ACT 1999 (FOIA)

In accordance with sections 7,8 and 9 of the Freedom of Information Act, 1999 (FOIA) the Ministry of Energy and Energy Industries is required by law to publish the following statements which list the documents and information generally available to the public.

The FOIA gives members of the public:

- (1) A legal right for each person to access information held by the Ministry of Energy and Energy Industries;
- (2) A legal right for each person to have official information relating to him/herself amended where it is incomplete, incorrect or misleading;
- (3) A legal right to obtain reasons for adverse decisions made regarding and applicant's request for information under the FOIA;
- (4) A Legal right to complain to the Ombudsman and to apply to the High Court for Judicial Review to challenge adverse decisions made under the FOIA.

SECTION 7 STATEMENTS

Section 7 (1) (a) (i)

Function and structure of the Ministry of Energy and Energy Industries.

Mission Statement:

The main policy goal for the Energy Sector is to optimally exploit the country's hydrocarbon resources ensuring its efficient administration in order to obtain the greatest returns to the country for the benefit of all citizens. The energy sector is primarily administered by the Ministry of Energy and Energy Industries whose portfolio encompasses the following:-

- (1) the management and regulation of oil and gas operations, upstream and downstream, marketing activities and the Petroleum Service Industry;
- (2) the development and implementation of a wide range of policies related to the Energy Sector viz. fiscal, environmental, pricing and industrial;

- (3) policy management and control of the state-owned energy based companies;
- (4) management and regulation of the mineral (quarrying) industry.

The Ministry of Energy and Energy Industries is divided basically into seven (7) Departments of responsibility Centres as shown on the organizational chart attached. They are:

- (1) Accounting
- (2) Energy Planning
- (3) Human Resources
- (4) Legal
- (5) Library
- (6) Information Technology
- (7) Technical Division

Two of these divisions are then further subdivided. The Human Resources Division is divided into:

- (i) Human Resource Management Section
- (ii) Registry Section
- (iii) Records Management Section
- (iv) Office Management Section
- (v) Internal Audit

The Technical Division is divided into:

- (i) Operations Section
- (ii) Geology and Geophysics Section
- (iii) Minerals Section
- (iv) Technical Services Section

Of these seven departments, the accounting, energy planning, human resources, legal, library and information technology departments are located at:

Levels 8 and 9
Riverside Plaza,
Besson Street
Port of Spain

All the departments of the Technical Division (with the exception of the Operations Sections) are located at:

Moonan Building
Frederick Street
Port of Spain

The Operations Division is located at:

JAPS Building
Point-a-Pierre Road,
San Fernando

The above outlined Departments or responsibility Centers within the Ministry of Energy and Energy Industries perform the following functions:

1. ACCOUNTS DEPARTMENT

- (a) The collection and accounting of all revenues for which the Ministry is responsible.
- (b) The processing of payment of expenses relating to the Ministry after ensuring the proper authorization in accordance with the Exchequer and Audit Ordinance.
- (c) The proper recording of all revenue received and payments made e.g. lease payments administrative charges, payment of licences, fees etc.
- (d) Recording of revenues collected from Royalty, Petroleum Impost and Petroleum Levy Subsidy also falls within the portfolio of the Accounts Department.

2. ADMINISTRATION

The Administration Section provides support services and is responsible for:

- (a) Registry/Record
- (b) Personnel
- (c) Office Management

REGISTRY

The Registry is responsible for safe-keeping and maintenance of all the ministry's records. All letters, memoranda and reports are kept on files according to a classification system. Files are routed among staff as necessary. The Registry also "follows up" correspondence to ensure that replies are received or dispatched and that deadlines are observed. A file register, which is the guide to locating correspondence on specific subjects, is maintained.

PERSONNEL

Personnel is responsible for ensuring that the Ministry's human resource at all levels are met. It must, therefore, arrange for recruitment of new personnel as vacancies arise. Personnel maintains personal files of all members of staff which includes information on promotions, transfers, leave, confidential reports, disciplinary and other matters relating to conditions of service in the Public Service.

OFFICE MANAGEMENT

This unit ensures that all physical and material requirements of the organization are supplied. The office manager maintains inventory of stationery and supplies. Office maintenance, improvement and telephone services are also the responsibility of this Unit.

3. ENERGY PLANNING DEPARTMENT

This department is responsible for:

- (a) Fiscal matters pertaining to oil and gas exploration and development operations under both Exploration and Production (E&P) licences and Production Sharing Contracts (PSCs).
- (b) Monitoring Compliance to fiscal/financial obligations under terms of (PSCs)
- (c) Domestic retail marketing which includes all aspects of the Ministry's portfolio with regard to crude oil and product pricing, domestic product marketing, royalty evaluation and estimates, and determination of petroleum impost.
- (d) Petrochemical marketing which includes developments trends and forecasts in the international market for petrochemicals i.e. supply demand and price.
- (e) The identification, promotion and development of initiatives in this area, implementation of Government policy with respect to alternative energy.
- (f) Energy Policy Formulation.
- (g) Establishing and maintaining contact with regional and international energy organizations.
- (h) Maintenance of national energy balance regional energy – economic information system, provision of data for Caribbean Energy Information System.
- (i) Overall supervision and monitoring of the Electricity Power Sector with direct responsibility for policy and technical evaluations.

4. GEOLOGY AND GEOPHYSICS

The Department of Geology and Geophysics is responsible for co-ordinating all exploration activities for hydrocarbon and mineral with the ultimate goal of increasing the known reserves of these resources. To undertake this function, the Department is sub-divided into two major divisions as follows:-

- (i) Petroleum Geology
- (ii) Minerals

PETROLEUM GEOLOGY

The Petroleum Division is further sub-divided into sections of Petroleum Geology and Geophysics and its major functions are to:-

- (a) Advise Government on its hydrocarbon exploration policy;
- (b) Make open acreage, both land and marine, available to oil companies for Exploration activities, through competitive bidding;
- (c) Approve and monitor all exploration activities submitted by the oil companies which include the conducting of seismic surveys and the drilling of exploration wells.

MINERALS

The major functions of the Minerals Division is to:-

- (a) Advise Government on its minerals exploration policy
- (b) Conduct geological surveys to identify mineral deposits
- (c) Make mineral blocks available to the private sector through competitive building
- (d) Arrange meetings of the Mineral Advisory Committee (MAC), which is responsible for advising government on quarrying and related matters
- (e) Monitoring of all quarrying operations to ensure compliance with the Mineral Act 2000 so as to minimize the negative effect of quarrying on the environment.

5. HUMAN RESOURCE SECTION

The Human Resource Management Section is responsible for planning, organizing and controlling all human resource management activities in the Ministry of Energy and Energy Industries. The responsibilities of the section concern the personnel and industrial relations of the Ministry and involves all matters relevant to employees from their recruitment/acquisition to their exit from the service via retirement/resignation with emphasis placed on training and development.

LEGAL

This Division advises Government on general legal problems and does general legal work within the scope of the Ministry. The field will cover, for example, leases, production sharing contracts and other agreements, sources of revenue enforcement of the petroleum and related Acts and Legislation.

7. LIBRARY

The library is responsible for organizing and maintaining an information service, comprising resource material that is primarily relevant to the work of the Ministry. The library operates from two physical locations as follows:-

- (a) The main office in Port of Spain, where the collection covers a range of information items on the technical, social and economic aspects of the local, regional and international energy and minerals industry.
- (b) The South Office, where smaller, more specialized, technical collection of energy-related information is provided for the staff of the Operations Sections.

The library is also available for use by the general public, which includes other government agencies, energy companies, local and international researchers and students.

OPERATIONS

This section located in San Fernando, is responsible for regulating a wide range of activities in the Petroleum Industry, upstream as well as downstream. It is also responsible for the verification of oil and natural gas sales which are used in royalty determination.

Upstream activities regulated include exploration, field development, production and pipeline transmission. On the downstream end, the regulated activities are related to refining, petrochemical and Liquefied Natural Gas (LNG) plants, Service Stations and LPG installations. In this regard, the section is responsible for ensuring that all physical plant and facilities in the energy sector conform to internationally acceptable standards of design and operation. The Section also has an investigatory role in respect of all major accidents and/or incidents in the Petroleum Industry.

The Operations Section prepares the monthly Bulletin which is posted on the Ministry's website.

9. TECHNICAL SERVICES

The Technical Division has as its primary focus the carrying out of the Technical Operations of the Ministry. This involves monitoring, regulating, developing and managing the activities of the organizations, which operate in the energy and mineral sectors with special emphasis on the compliance and adherence to the Petroleum Act and Regulations and other relevant Laws and Regulations. It also involves advising on the technical and professional aspects of the sectors and ensuring that maximum benefits can be derived from the utilization of the country's resources.

The Division is also responsible for determining and classifying the country's oil and gas reserves, determining the production lines of the petroleum reservoirs and the regulation of exploration, production, transmission and final disposal of natural gas in Trinidad and Tobago.

The Division also has a Statistical unit which maintains statistical records on for example, oil and gas production, drilling activities, wells drilled, depth drilled and natural gas utilization by well field and company as applicable. This unit is responsible for cumulative statistical data record-keeping which is compiled annually for publication in the Annual Report of the Ministry.

EFFECT OF FUNCTIONS ON MEMBERS OF THE PUBLIC

The work of the Ministry of Energy and Energy Industries definitely impacts on various sectors in Trinidad and Tobago and ultimately on every citizen of the country. The energy resources of the country represent the patrimony of the citizens and must be used for their benefit. The public has the opportunity to be involved in the formulation of policy and energy related matters through a continuous programme inviting public comment, consultation and through various committees and advisory bodies.

In consideration of the environment and health impact of energy production and use, the Ministry of Energy and Energy industries seeks to promote the use of energy sources which are both user and environmentally friendly. The drive for energy conservation and a clear environment is an important motivating factor for promoting the use of new and renewable energy resources, thus enhancing the quality of life in Trinidad and Tobago.

Section 7 (1) (a) (ii)

Categories of Documents in the possession of the Ministry of Energy and Energy Industries:

- (1) Files dealing with administrative support and general administrative documents, for the operations of the Ministry of Energy and Energy Industries.
- (2) Personnel files, which detail all staff appointments, job applications, job promotions transfers, resignations, deaths, retirements, leave, vacation etc.
- (3) Files dealing with the accounting functions of the Ministry of Energy and Energy Industries.
- (4) Financial records (Cheques, vouchers, receipts, pay records etc.)
- (5) Files dealing with matters relating to the procurement of supplies services and equipment.
- (6) Cabinet Documents
- (7) Policy and Procedure Documents
- (8) News releases, speeches etc. originating in the Ministry of Energy and Energy Industries.
- (9) Internal and external correspondence files.
- (10) Maps, charts, compact discs, diskettes, tapes, photographs, abstracts and catalogues.
- (11) Documents relating to strategic review of the Ministry and Information Technology Strategy.
- (12) Legislation and Legal Instruments.
- (13) Legal opinions and related matters.
- (14) Files dealing with training – local, foreign and technical co-operation.
- (15) Reports – statistical, audit, consultants, technical, corporate etc.

- (16) Books, booklets, leaflets, pamphlets, brochures, posters, newspaper clippings, bulletins
- (17) Inventory files.

Section 7 (1) (a) (iii)

Material prepared for publication or inspection. The Library at the Port of Spain office has a catalogue which details all the information available at the Ministry. While the library does not offer photocopying services, the public may inspect the material between the hours of 8.00 am to 4.00 pm on normal working days at:-

The Library, Level 7
 Ministry of Energy and Energy Industries
 Riverside Plaza
 Besson Street
 Port of Spain
 Tel. 623-6708 ext 2005
 Fax: 624-3147
E-mail: libraryI@energy.gov.tt

Section 7 (1) (a) (iv)

Literature available by subscription.

Members of the public may subscribe for the following material:-

- (1) The Monthly Bulletin of the Ministry of Energy and Energy Industries (free).
- (2) The Annual Report of the Ministry of Energy and Energy Industries

Please contact or write to:

The Librarian, Level 7
 Ministry of Energy and Energy Industries
 Riverside Plaza
 Besson Street
 Port of Spain
 Tel: 623-6708 ext 2005
 Fax: 624-3147
E-mail: libraryI@energy.gov.tt

The Librarian
 Ministry of Energy
 Operations Section
 JAPS Building
 Point-a-Pierre Road
 San Fernando
 Tel: 652-2075 ext 260
E-mail: mgarcia@energy.gov.tt

Members of the public can also visit our website at www.meei.gov.tt

Section 7(1) (a) (v)

Procedures to be followed when accessing a document from the Ministry of Energy and Energy Industries:-

How to request information:

(1) General Procedure

Our policy is to answer all requests, both oral and written, for information. However in order to have the rights given to you by the FOIA (for example the right to challenge a decision if your request for information is refused), you must make your request in **WRITING**. The applicant must, therefore, complete the appropriate form i.e. (Request for Access to Official Documents) available in our library, for information that is not readily available in the public domain.

(2) Details in request

Applicants should provide details that will allow for ready identification and location of the records that are being requested. If insufficient information is provided clarification will be sought from the applicant. If you are not sure how to write your request or what details to include, communicate with our Designated Officer. (see section 7(1)(a)(v))

(3) Request not handled under the FOIA

A request under the FOIA will not be processed to the extent that it asks for information which is currently available in the public domain, either from the Ministry of Energy and Energy Industries or from another public authority, for example brochures and pamphlets etc.

(4) Responding to your request

Retrieving documents

The Ministry of Energy and Energy Industries is required to furnish copies of documents only when they are in our possession or we can retrieve them from storage. Information stored in the National Archives or another storage center, will be retrieved in order to process your request. Prior to the commencement of the Freedom of Information Act, 1999 old records may have been destroyed. The granting of a request for such documents

therefore be impossible. Various laws, regulations and manual give the time periods for keeping records before they may be destroyed.

(5) Furnishing documents

An applicant is entitled to copies of information we have in our possession, custody or power. We are required to furnish only one copy of a document. If we cannot make a legible copy of a document to be released, we will not attempt to reconstruct it. Instead, we will furnish the best copy possible and note its quality in our reply. Please note we are not compelled to do the following:-

- (a) Create new documents
- (b) Perform research for you

**(6) Time limits
General**

The FOIA sets certain time limits for us to decide whether to disclose the documents you have requested. If we fail to meet deadlines. The FOIA gives you the right to proceed as if your request has been denied. We will try diligently to comply with the time limits, but if it appears that processing your requests may take longer than the statutory limit, we will acknowledge your request and advise you of its status. Since there is a possibility that requests may be misaddressed or misrouted, you may wish to call or write to confirm that we have received the requests and to ascertain its status.

(7) Time Allowed

We will determine whether to grant your requests for access to information as soon as practicable but no later than 30 days as required by section 15 of the FOIA. If a decision is taken to grant access to the information requested, you will be permitted to inspect the documents or be provided with copies, if you request.

(8) Fees and Refunds

The Freedom of Information Fees and Charges Regulations (yet to be laid) prescribe the fees related to the search, retrieval and provision of documents. You are entitled to receive the document/s within seven (7) days of payment of the relevant fee (when effected). If we fail to provide the information within the seven (7) days period you are entitled to a refund of the fees paid in addition to access to the documents requested.

Section 7 (1) (a) (vi)

Officers in the Ministry of Energy and Energy Industries responsible for:-

- (a) The initial receipt of and action upon notices under section 10
- (b) Requests for access to documents under section 13 and
- (c) Applications for corrections of Personal Information under section 36 of the FOIA are:-

The Designated Officer:-

Ms. Indira Ramkissoon
Senior State Counsel
Level 9 Riverside Plaza
Besson Street
Port of Spain
Tel: 623-6708 ext. 2037
Fax: 627-1486
E-mail: iramkissoon@energy.gov.tt

The Alternate Officers:-

- (1) **Mr. Selwyn Lashley**
Chief Technical Officer
Moonan Building
Frederick Street
Port of Spain
Tel.: 625-7015
Fax: 623-2627
E-mail: slashley@energy.gov.tt

- (2) **Ms. Cheryl Medford**
Librarian III
Level 7, Riverside Plaza
Besson Street
Port of Spain
Tel : 623-6708 ext. 2005
Fax : 624-3147
E-mail: cmedford@energy.gov.tt

Section 7 (1) (a) (vii)

At the present time there are no Advisory Boards, Councils Committees and other bodies that fall within the meaning of this section of the FOIA.

Section 7 (1) (a) (viii)

Library/Reading Room Facilities

Information can be accessed in our libraries in both the North and South offices. You may make general enquiries of our Librarian at 623-6708 ext. 2005. The library/reading room in the Ministry of Energy and Energy Industries is located on Level 7. Riverside Plaza, Besson Street, Port-of-Spain. The library/reading room open to the public from Monday to Friday between the hours of 8.00 am and 4.00 pm.

Policy of the Ministry of Energy and Energy Industries for provision of copies of documents held in the public domain.

- (1) Charge for photocopying is 50 cents per page however, if you provide your own paper no fee will be charged.
- (2) Certain provision of documents may be subject to a small charge to cover administrative costs.
- (3) No smoking, eating or drinking is allowed in the library/reading room

Section 8 Statements

Section 8 (1) (a) (i)

Documents containing interpretations or particulars of written laws or schemes administered by the public authority, not being particulars contained in another written law. The Laws/Acts which impact upon the Ministry of Energy and Energy Industries are as follows:

- 1) The Petroleum Act Chapter 62:01 and the Regulations thereto
- 2) The Petroleum Production Levy and Subsidy Act Chapter 62:02
- 3) The Petroleum Taxes Act Chapter 75:04
- 4) The Income Tax (In Aid of Industry) Act Chapter 85:04
- 5) The Income Tax Act Chapter 75:01

- 6) The Unemployment Levy Act Chapter 75:03
- 7) The Minerals Act No. 61 of 2000
- 8) The Exchequer and Audit Act Chapter 69:01
- 9) The Fiscal Incentives Act Chapter 85:01
- 10) The Freedom of Information Act No. 26 of 1999

Section 8 (1) (a) (ii)

Manuals, rules of procedure, statements of policy, records of decisions, letters of advice to persons outside the public authority, or similar documents containing rules, policies, guidelines, practices or precedents.

This sub-section is not applicable at this time.

Section 8 (1) (b)

In enforcing written laws or schemes administered by the public authority where a member of the public might be directly affected by that enforcement, being documents containing information on the procedures to be employed or the objectives to be pursued in the enforcement of the written laws or schemes.

This sub-section is not applicable at this time.